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Attorneys for Plaintiff YELLOWCAKE, INC., and Counterdefendants YELLOWCAKE, INC., COLONIZE MEDIA, INC., and JOSE DAVID HERNANDEZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

YELLOWCAKE, INC., a California corporation,

Plaintiff,

v.

HYPHY MUSIC, INC.,

Defendant.

Case No.:

1:20-cv-00900-JLT-BAM

PLAINTIFF AND

COUNTERDEFENDANTS

YELLOWCAKE, INC., AND COLONIZE

MEDIA, INC.'S RESPONSE TO

DEFENDANTS' ADDITIONAL

UNDISPUTED MATERIAL FACTS

[F. R. Civ. Pro. 56, L.R. 260]

Judge: Hon. Daniel J. Calabretta

Date: 9/29/23

Courtroom: Courtroom 10, 13th floor

HYPHY MUSIC, INC.,
 Counterclaimant,
 v.
 YELLOWCAKE, INC., A CALIFORNIA
 CORPORATION; COLONIZE MEDIA, INC.;
 JOSE DAVID HERNANDEZ; and JESUS
 CHAVEZ SR,
 Counterdefendants.

Pursuant to this Court's Local Rule 260, no response from Plaintiff/Counterdefendants is required to the Additional Undisputed Material Facts (the "AUMF") (see [Dkt. 86-7](#) at Pgs. 15-53) that was served by Defendant in connection with its opposition to Plaintiff/Counterdefendants' motion for summary judgment. Notwithstanding same, Plaintiff/Counterdefendants hereby (i) dispute the purported statements of facts set forth in the AUMF; (ii) object to the statements of fact because they mischaracterize, misrepresent or are unsupported by the purported evidence they are based upon; (iii) object to the purported evidence underlying such statements because such evidence constitutes inadmissible conclusions of law, conclusory statements and/or hearsay, or is otherwise inadmissible; and (iv) respectfully refer the Court to their Statement of Undisputed Facts (see [Dkt. 82-12](#)) in support of their motion for summary judgment, and their Response to Defendant's Separate Statement of Undisputed Facts (see [Dkt. 85-3](#)) in opposition to Defendant's motion for summary judgment (in particular the latter document inasmuch as virtually all purported statements of fact found in the AUMF duplicate the purported statement of facts in Defendant's moving papers (see [Dkt. 78-20](#))).

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Dated: September 15, 2023

Respectfully submitted,

ABRAMS FENSTERMAN, LLP

By: /s/ Seth L. Berman

Seth L. Berman, Esq. (*admitted pro hac vice*)

***Attorneys for Plaintiff Yellowcake, Inc., and
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Jose David Hernandez***

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